

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U.S. APPLICATION NO. 09/882,044
ATTORNEY DOCKET NO. Q64883

REMARKS

Claims 1 and 3-21 have been examined on their merits.

The Patent Office objects to claims 15-17 and 21 as being dependent upon a rejected base claim. Instead of rewriting claims 15-17 and 21 in independent form, Applicant respectfully traverses the prior art rejections for the reasons set forth below.

Claims 1 and 3-21 are all the claims presently pending in the application.

1. Claims 1, 3-14 and 18-20 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Foglar (U.S. Patent No. 6,356,552) in view of Hoshino *et al.* (U.S. Patent No. 6,289,014). Applicant traverses the § 103(a) rejection of claims 1, 3-14 and 18-20 for at least the reasons discussed below.

With respect to independent claim 1, the combination of Foglar and Hoshino *et al.* fails to teach or suggest at least a telecommunications system that converts the H-bit header field of telecommunications cells into a new header comprised of a set of R bits derived from the original H-bit header field and a set of D bits of information, wherein H, R and D are integer numbers and the sum of R and D is less than or equal to H. At best, the combination of Foglar and Hoshino *et al.* disclose methods of deriving alternate headers for telecommunications cells that are limited to addresses only, *i.e.*, no command data associated with the payload is included in the revised header.

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U.S. APPLICATION NO. 09/882,044
ATTORNEY DOCKET NO. Q64883

As cited by the Patent Office, Foglar discloses, *inter alia*, the following about its alleged header creation:

In the present example, the LCI value, used as a reduced address, includes precisely the aforementioned 14 bits; its contents depend on the (12-bit) VPI value, the (16-bit) VCI value, and the (in this case) six-bit PN value. For the sake of completeness, it should be pointed out again here that the VPI (Virtual Path Identifier) value and the VCI (Virtual Channel Identifier) value jointly form the 28-bit address in the header of the ATM cells, and that the PN (Physical Port Number) value represents the number of the line or termination unit from which the applicable ATM cell has been received. (col. 5, lines 57-67 of Foglar).

All that Foglar discloses is the creation of a Logical Channel Identifier (LCI) from the virtual path identifier (VPI), the virtual channel identifier (VCI) and the physical port number (PN).

There is no teaching or suggestion in Foglar of at least converting a H-bit header field of telecommunications cells into a new header comprised of a set of R bits derived from the original H-bit header field and a set of D bits of information, wherein H, R and D are integer numbers and the sum of R and D is less than or equal to H. There is no teaching or suggestion in Foglar, and the Office Action points to none, of adding command data associated with the payload to the header bits that are left unused by the conversion of the VPI/VCI/PN bits into a revised header, as recited in claim 1.

In the previous Office Action, the Patent Office argued that, with reference to Figure 6 of Hoshino *et al.*, “member 114 is a header combination means coupled to members 111 and 143.” While it is true that the header rewrite unit 114 combines data, there is no teaching or suggestion that the header rewrite unit 114 creates a new header field comprised of two types of bits, *i.e.*, revised addressing information in one field and command data associated with the payload in the

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U.S. APPLICATION NO. 09/882,044
ATTORNEY DOCKET NO. Q64883

other field. Specifically, Hoshino *et al.* discloses, *inter alia*, the conversion of a virtual path identifier (VPI), a virtual channel identifier (VCI) and a line identifier (TAGD) into a revised header. There is no teaching or suggestion that the conversion of the VPI/VCI/TAGD in Hoshino *et al.* creates anything beyond a revised header. There is no teaching or suggestion in Hoshino *et al.*, and the Office Action points to none, of adding command data associated with the payload to the header bits that are left unused by the conversion of the VPI/VCI/TAGD bits into a revised header, as recited in claim 1.

As argued by the Patent Office in the Advisory Action dated September 14, 2005, at column 11 *et seq.*, Hoshino *et al.* disclose the creation of a routing tag, which the Examiner alleges is equivalent to the combining a set of D bits of at least one of information data and command data. Although in the Advisory Action the Examiner does not explicitly state how information data is combined into the header, a close review of Hoshino *et al.* reveals the following disclosure, located at col. 11, line 65 to col. 12, line 9:

On the other hand, in the data 168, 13 bits of a base address 165, a parity bit 168a and an effective flag (EN) 168b are assigned to bits 1 through 13, bit 0 and bit 14, respectively. Bit 15 is an unused empty bit 168c. The effective flag 168b is a bit for indicating whether or not the base address 165 in the same data 168 is effective, of which “1” and “0” indicate to be effective and to be ineffective, respectively. This effective flag 168b is set by the central control unit 144 when the central control unit 144 establishes and cancels an ATM connection. That is, the effective flag 168b is set to “1” and “0” when the ATM connection is established and cancelled, respectively.

The above-cited text of Hoshino *et al.* discloses nothing about adding command data associated with the payload to the header bits that are left unused by the conversion of the VPI/VCI/TAGD bits into a revised header, as recited in claim 1. Furthermore, the Patent Office is silent with

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U.S. APPLICATION NO. 09/882,044
ATTORNEY DOCKET NO. Q64883

respect to Hoshino *et al.* having any teaching or suggestion that command data was added to the routing tag.

When Foglar and Hoshino *et al.* are combined, the references are cumulative in nature, and do not teach or suggest at least converting a H-bit header field of telecommunications cells into a new header comprised of a set of R bits derived from the original H-bit header field and a set of D bits of information, wherein H, R and D are integer numbers and the sum of R and D is less than or equal to H. As discussed individually above, the combination of Foglar and Hoshino *et al.* fails to teach or suggest at least adding command data associated with the payload to the header bits that are left unused by the conversion of the original header bits (VPI/VCI/TAGD bits or VPI/VCI/PN) into a revised header, as recited in claim 1.

Based on at least the foregoing reasons, Applicant submits that claim 1 is allowable over the combination of Foglar and Hoshino *et al.*, and further submits that claims 3-11 are allowable as well, at least by virtue of their dependency from claim 1. Applicant respectfully requests that the Patent Office reconsider and withdraw the § 103(a) rejection of claims 1 and 3-11.

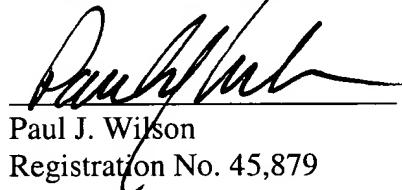
With respect to independent claim 12, Applicant submits that claim 12 is allowable over the combination of Foglar and Hoshino *et al.* for at least reasons analogous to those discussed above with respect to claim 1. Thus, Applicant submits that claim 12 is allowable, and further submits that claims 13, 14 and 18-20 are allowable as well, at least by virtue of their dependency from claim 12.

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
U.S. APPLICATION NO. 09/882,044
ATTORNEY DOCKET NO. Q64883

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Paul J. Wilson
Registration No. 45,879

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: September 27, 2005